

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 3, 2003

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., December 3, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve the minutes from meetings held on October 6 and 8, 2003.

MINUTES

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve minutes of meeting held May 12, 2003. (Addendum #1)

PERSONNEL AGENDA

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve Flood Control District Personnel Agenda (Exhibit C). (List on file in the Clerk of the Board's Office.)

EASEMENTS, RIGHT-OF-WAY DOCUMENTS

No documents were presented for approval at this time. (ADM1910)

CONTRACT WITH EPG, INC.

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to award Contract FCD 2003C054, On-Call Landscape Architectural Services, to EPG, Inc., in the amount of \$250,000. The contract is for the not-to-exceed amount stated above, or for 730 calendar days from the date of award, whichever occurs first. The Flood Control District of Maricopa County (District) and the consultant will mutually agree to a detailed scope of work for each assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69040285)

CONTRACT WITH CONSULTANT ENGINEERING, INC.

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve Contract FCD 2003C056, On-Call Construction Management Services, to Consultant Engineering, Inc. (Consultant). This contract is effective for 730 calendar days from the date of its execution, or until the expenditure of \$150,000, whichever occurs first. The Flood Control District of Maricopa County (District) and the consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69040345)

December 3, 2003

ADJUSTMENTS TO CURRENT FY 2004 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve adjustments to the current FY 2004 Capital Improvement Program (CIP) budget of the Flood Control District of Maricopa County (District) that have become necessary due to unavoidable delays in the programmed completion schedule of certain material projects. While these schedule interruptions will not prevent the projects from proceeding they will result in an opportunity for the District to use the intended funding to accelerate the completion of other meritorious current and new projects. Approval by the Board of Director's of the District (Board) will result in a budget adjustment affecting both the current and future years covered by the approved 5-year CIP. Future year adjustments will be resolved during the district's annual CIP budget review and Board approval process. Current total approved funding for the CIP remains unchanged by Board approval of this request. (C69040558) (ADM1900-003)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF MESA AND THE SALT RIVER PROJECT

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) FCD 2000A010 among the City of Mesa, the Salt River Project, and the Flood Control District of Maricopa County (District) for the Alma School Drain (DRAIN) (No. 102). The IGA defines the responsibilities of the District, the City of Mesa, and the Salt River Project, as well as providing for bringing the DRAIN up to an appropriate maintenance level, defining future responsibilities for operation and maintenance of the DRAIN, and supercedes and replaces IGA 371-67-F. (C69040362)

CONTRACT WITH KIMLEY-HORN, INC.

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to award Contract FCD 2003C015, On-Call Phase I Assessment, to Kimley-Horn, Inc. for professional services. The contract is for the not-to-exceed amount of \$500,000.00, or for 730 calendar days from the date of award, whichever occurs first. The Flood Control District of Maricopa County (District) and the consultant will mutually agree to a detailed scope of work for each assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69040435)

CONTRACT WITH LTM ENGINEERING, INC.

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to award Contract FCD 2003C062, On-Call Emergency Action Plans for Flood Retarding Structures and Dams to LTM Engineering, Inc. This contract will be effective for a period of 730 calendar days from the date of execution or until the contract expenditure of \$250,000, whichever occurs first. The Flood Control District of Maricopa County (District) and LTM Engineering, Inc., will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69040505)

CONTRACT WITH ENTRANCO, INC.

December 3, 2003

Award contract FCD 2003C063, On-Call Surveying and Mapping Services, to Entranco, Inc. (Consultant). The contract is effective for 730 calendar days from the date of execution or until the expenditure of \$250,000, whichever occurs first. The Flood Control District of Maricopa County (District) and consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated prior to the notice to proceed for each work assignment. This negotiated fee will be in accordance with the rates included as Exhibit B of this contract. (C69040515)

RESOLUTION – 23rd AVENUE AND ROESER ROAD DETENTION BASIN AND STORM DRAIN

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to adopt Resolution FCD 2003R008, 23rd Avenue and Roeser Road Detention Basin and Storm Drain (Project), between the Flood Control District of Maricopa County (District) and the City of Phoenix (City). The Resolution authorizes the Chief Engineer and General Manager of the District to prepare and negotiate Intergovernmental Agreements (IGAs) with the City and others, as appropriate, for the coordination and cost sharing of the design, rights-of-way acquisition, construction, construction management, and for the operation and maintenance of the project. The Resolution also authorizes and directs the District to include cost sharing funds in the district's current and future Five-Year Capital Improvement Program (CIP) to pay for the district's portion of the project, both of which are subject to the ratification and approval of this Board. The project is estimated to cost \$4,200,000 with the district's share not to exceed \$2,100,000. (C69040536) (ADM1900)

RESOLUTION FCD 2003R008

23RD AVENUE AND ROESER ROAD DETENTION BASIN AND STORM DRAIN

WHEREAS, Arizona Revised Statutes Title 48, Chapter 21 requires the Board of Directors of the Flood Control District to identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems in Maricopa County; and,

WHEREAS, the Flood Control District of Maricopa County (District) and the City of Phoenix (City) have identified elements from the South Phoenix/Laveen Drainage Improvements Project – Preliminary Design Report to develop regional flood control infrastructure. The 23rd Avenue and Roeser Road Detention Basin and Storm Drain (Project) has been identified as a high priority; and,

WHEREAS, the Project, as shown on Exhibit A, includes a detention basin located at the northeast corner of the intersection of 23rd Avenue and Roeser Road, and a storm drain along Roeser Road from the detention basin outlet to 27th Avenue and then north on 27th Avenue to Broadway Road. The storm drain will convey the outlet flows from the detention basin to the existing storm drain pipe at Broadway Road which will then discharge to the Salt River; and,

WHEREAS, Resolution FCD 97-04 authorized and directed the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGAs) with the City, Maricopa County Department of Transportation, and others, if appropriate, for the coordination and cost sharing of the design, rights-of-way acquisition, construction, and for the operation and maintenance of drainage components of the recommended alternative from the South Phoenix/Laveen Drainage Improvement Project Preliminary Design Report; and,

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 3, 2003

WHEREAS, the construction of the Project will mitigate flooding and drainage problems for portions of unincorporated Maricopa County and the City. The proposed Project location includes presently vacant land that may be developed in the near future; and,

WHEREAS, the design, rights-of-way acquisition, construction and construction management of the Project are estimated to cost \$4,200,000; and,

WHEREAS, the District is coordinating the cost share and implementation of the Project with the City and/or other municipalities and agencies, as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to negotiate and prepare IGAs with the City and others as necessary for the coordination and cost sharing of the design, rights-of-way acquisition, construction, construction management, and for the operation and maintenance of the Project, subject to the ratification and approval of this Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to include cost sharing funds in the District's current and future Five-Year Capital Improvement Program to pay for the District's portion of the Project, subject to the ratification and approval of this Board.

DATED this 3rd day of December 2003.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ADMINISTRATIVE AMENDMENT TO RESCIND FUNDING OF NEW POSITION

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve an administrative amendment to rescind funding a new position by increasing the District's Operating Budget (Fund 991), which was approved by the Board on October 22, 2003, Agenda No. C6904026M. (C6904060M) (ADM1900-003)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 3, 2003